

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:15-CV-00354-MOC-DSC**

LM RESTAURANTS, INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	<u>ORDER</u>
ALE YEAH!, INC., ALE YEAH!)	
ROSWELL, INC., FILL 'ER UP, LLC,)	
FRANCISCO VILA AND EDDIE)	
HOLLEY,)	
)	
Defendants.)	

THIS MATTER is before the Court on “Defendant Ale Yeah!, Inc., Ale Yeah! Roswell, Inc., Francisco Vila and Eddie Holley’s Motion to Compel” (document # 84) filed March 8, 2017, and the parties’ briefs and submissions (see documents ## 85, 91-93).

Defendants seek an order compelling Plaintiff to supplement its written responses and document production to their First Set of Interrogatories and Requests for Production of Documents. For the reasons stated in Defendants’ briefs, the Court grants their Motion in part. However, for the reasons stated in Plaintiff’s response, the Court denies Defendants’ Motion as to Interrogatory No. 10 and Requests for Production G, I, R, U and W. The Court will not compel Plaintiff to further supplement its responses to those discovery requests. Plaintiff shall respond fully to Defendant’s remaining Interrogatories and Requests for Production of Documents. If Plaintiff contends that it has previously responded fully to one or more of these remaining requests, they shall affirmatively state their compliance in a verified discovery response.

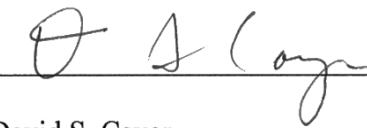
THEREFORE IT IS ORDERED that:

1. "Defendants' ... Motion to Compel" (document #84) is **GRANTED IN PART** and **DENIED IN PART** as stated above. Within thirty days of this Order, Plaintiff shall serve supplemental responses to Defendants' First Set of Interrogatories and Requests for Production of Documents as detailed above. To the extent that Plaintiff contends that it has previously responded fully to particular discovery requests, it shall so state in verified responses.

2. The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Max O. Cogburn, Jr.

SO ORDERED.

Signed: April 11, 2017



David S. Cayer
United States Magistrate Judge
